

advantage that our current tax rules give to foreign distilleries. I will certainly do what I can to help pass Senator BREAU's bill.

Mr. President, I am submitting this statement for the CONGRESSIONAL RECORD to make one thing perfectly clear. In supporting this bill, I want the Administration, and officials at the Treasury Department and the Bureau of Alcohol, Tobacco and Firearms to understand that by doing so I reject the connection that some have tried to make between the All in bond issue and Section 5010 of the tax code, the wine and flavors tax credit. I know that the suggestion has been made that any revenue loss to the U.S. Treasury caused by changes to the All in Bond rules be offset by repealing Section 5010. I reject that notion because there is no logical link between the two issues; the "connection" is a bureaucratic fiction.

Some who served with me on the conference committee that helped write the tax provisions in the 1995 Balanced Budget Act will probably remember my successful efforts to eliminate a provision in the Senate bill that would have repealed Section 5010. My position on this matter has not changed, and it is one issue on which I continue to keep a close eye because of its importance to Kentucky.●

BLIND PERSONS EARNINGS EQUITY ACT

● Mr. SARBANES. Mr. President, today I rise in support of the Blind Persons Earnings Equity Act, a bill that will open up a world of opportunities for blind persons and greatly improve their lives. Currently, the blind are discouraged from working by an overly restrictive provision in the Social Security Act that limits the amount of income they may earn for themselves. The Blind Persons Earnings Equity Act would raise that earnings restriction and lessen the burden of at least one of the many obstacles to employment faced by the blind today.

Blindness has profoundly adverse social and economic consequences, and Social Security benefits are needed to offset the disadvantages suffered by the blind. However, these same laws that are meant to help, must be revised when it becomes clear they are hindering blind persons from joining the workforce and discouraging them from becoming fully engaged in society.

Instead of encouraging the blind to develop job skills and become productive members of their communities, the law addressed by this bill penalizes them. Once their earnings rise above an amount that is barely sufficient to cover the most basic living expenses, their Social Security benefits are cut completely. No wonder it is estimated that over seventy percent of the employable blind population is either unemployed or underemployed.

This statistic, however, does not represent an unwillingness to work. On the contrary, the blind want to work and take great pride in developing the necessary skills that enable them to contribute to society.

I had the honor of knowing personally a great American leader who just happened to be blind. His name was Dr. Kenneth Jernigan and for over 25 years he led the organized blind movement in the United States. As President for the National Federation of the Blind, he moved the national headquarters to Baltimore where I had the opportunity to meet him. Sadly, Dr. Jernigan passed away last year.

Dr. Jernigan may have been blind in the physical sense, Mr. President, but he was a man of vision nonetheless. In his leadership of the National Federation of the Blind, he taught all of us to understand that eyesight and insight are not related to each other in any way. Although he did not have eyesight, his insight on life, learning, and leading has no equal. Dr. Jernigan devoted his life to empowering the blind and encouraging them to be active members of society. He fought to improve their access to information, education, jobs, and public facilities.

The overly restrictive earnings cap in the Social Security Act represents precisely the kind of unfair law and barrier to employment that Dr. Jernigan battled throughout his life. He knew first hand about the devastating impact that restrictions such as this could have on the aspirations and hope of blind persons already struggling to overcome tremendous challenges.

Congress itself has recognized the overly restrictive nature of this earnings cap. In 1996, we raised the cap for senior citizens with passage of the Senior Citizens Freedom to Work Act. However, the earnings limitation for blind individuals was left unchanged. Up until that point, for almost twenty years, the same earnings cap had applied to both senior citizens and blind persons under the Social Security Act. With passage of the 1996 Freedom to Work Act, seniors were encouraged to remain active and continue working, but the disincentive to work was unfortunately left in place for the blind. Consequently, by 2002, seniors will be permitted to earn up to \$30,000, but blind people who earn over \$14,800 (less than half as much) will lose their benefits.

There is no justification for raising the earnings cap for one group and not the other. Why should we distinguish between two groups that for over twenty years were treated even-handedly under the law? What has changed to cause us to discriminate between the two and encourage one to work while greatly limiting the opportunities of the other? By reestablishing parity in the treatment of blind persons and senior citizens under the Social Security

Act, this legislation will restore fairness to this law and will remedy a policy that has kept the blind locked out of rewarding, self-fulfilling employment.

Although a small number of blind persons may become newly eligible for benefits as a result of this change, their number will be a mere fraction of the thousands who do not work because of the disincentive imposed by this earnings limit. By enabling these beneficiaries to work, the overall net effect of this bill will be to increase payments to the Social Security trust funds and bring additional revenue to the Federal Treasury as well.

I urge my colleagues to support this necessary legislation that will ensure the blind are treated fairly under the law and will empower thousands of blind beneficiaries to become more engaged in society through productive employment.●

TRIBUTE TO STUDENT VOLUNTEERS

● Mr. SMITH of Oregon. Mr. President, I rise today to congratulate and honor two young Oregonians who have received national recognition for exemplary volunteer service in their communities. Mr. Cody Hill of Portland and Mr. Quinn Wilhelmi of Eugene have recently been named State Honorees from Oregon in the 1999 Prudential Spirit of Community Awards program, an annual honor conferred on only one high school student and one middle-level student in each state, the District of Columbia and Puerto Rico.

Mr. Cody Hill, nominated by Lincoln High School, created and currently coordinates a program called "Guns Aren't Fun," a toy gun trade-in event to encourage kids to trade in their toy guns for other non-violent toys. His idea is currently being developed into a non-profit organization to spread the message of non-violence across the country. Due to Cody's hard work and determination, more than one hundred toy guns have been turned in during two trade-in events. Cody has worked closely with local non-profit organizations and, to date, he has collected over \$13,000 for the purchase of new toys. Cody has also received recognition in local newspaper detailing his volunteer work.

Mr. Quinn Wilhelmi, nominated by Roosevelt Middle School, began a tutoring program with fifth grade students in his former elementary school. Quinn's program works to develop the student's writing skills by helping them compose their autobiographies. Through his initiative, Quinn was able to recruit several of his classmates to join in this effort as well, and he has made a tremendous impact on several younger students while working as a writing mentor.

In light of numerous statistics that indicate Americans today are less involved in their communities than they once were, it's vital that we encourage and support the kind of selfless contributions these young people have made. Young volunteers like Cody and Quinn are inspiring examples to us all, and are among our brightest hopes for a better tomorrow. I applaud them for their initiative in seeking to make their communities better places to live, and for the positive impact that they had on the lives of others. In recognition of their efforts, Cody and Quinn will come to Washington, DC in early May, along with other 1999 Spirit of Community honorees from across the country. While in Washington, ten students will be named America's top youth volunteers of the year by a distinguished national selection committee.

I would also like to recognize four other young Oregonians who were recognized as Distinguished Finalists for their outstanding volunteer service: April Choate of Bend, Jennifer Fletcher of Portland, Julia Hyde of Portland, and Tiffany Wright of Springfield. They deserve high praise for their hard work and determination in helping others in their communities.

It is clear that these young people have demonstrated a level of commitment and accomplishment that is truly extraordinary, and I believe they deserve our sincere admiration and respect. Their actions show that young Americans can, and do, play important roles in their communities, and that America's community spirit continues to hold tremendous promise for the future.●

IMPEACHMENT TRIAL PROCEDURES

● Mr. FEINGOLD. Mr. President, with the impeachment trial now behind us, I wanted to take a moment to make a few comments about the process that we experienced and suggest some of the lessons that we learned. I hope that in the weeks and months to come, we can look back dispassionately and try to take advantage of those lessons to make some changes in the Senate's rules that might serve us well in future impeachment trials.

The process used in the impeachment trial in the Senate was imperfect, but this is not surprising. The only truly apposite source of precedents took place more than 130 years ago. The value of the Johnson procedural precedents has been undermined in part by the changes in our politics, our culture and our technology.

There are many aspects of the trial that history will undoubtedly look upon with favor. Chief Justice Rehnquist, a son of Shorewood, Wisconsin, presided fairly and with dignity. His few rulings were not chal-

lenged. Perhaps most important, he provided a steady hand with a dose of humor. We are all in his debt.

In addition, senators approached the trial with dignity and collegiality. At the moment of greatest tension between the advocates, good will among senators never faltered. I understand that this may, in part, be due to the fact that the ultimate outcome of this trial was never in doubt. Having said that, however, senators, really without exception, took their duties and each other seriously. The impeachment of a president is a painful process, and, as I will discuss further in a moment, it ought to be painful. The stakes were very high in this trial, yet the Senate remained a place of civility. This was in stark contrast to the impeachment process in the House of Representatives. I hope the relative harmony in the Senate restored to this process some of the legitimacy lost in the partisan din of the other body.

The House Managers and the President's counsel did well in their individual presentations. At the outset we senators caucused together and reached a fair, if imperfect, roadmap for the early stages of the trial. Ultimately, we agreed on a procedural course that took us through the verdict. The tone throughout was civil and the arguments, by and large, on point.

But we did tie the hands of the advocates in some ways, and perhaps denied ourselves the fullest possible presentation of the evidence and arguments. The trial consisted, except for the unusual, and not always helpful, question period, of opening arguments followed by several iterations of closing arguments. These arguments were interspersed with video snippets from grand jury depositions and depositions by the House Managers. This arrangement, pieced together as we went along, did not always make for a coherent narrative.

The House Managers' theory of the case required us to accept a narrative, a story of conspiracy, lies and efforts to thwart justice. As they told the story, each sinister act was offered as evidence of the coherent whole. They had trouble telling a story, due partly to flaws in their theory and, to be fair, perhaps in small part due to flaws in our process. We had no live witnesses. The parties alternated control of the floor, creating a dynamic of thrust and parry, rather than a methodically constructed narrative.

The managers' complaints about the process in turn became a recurrent theme in their arguments, resulting in greater, and sometimes unfair, latitude for them in their efforts to make the case. For example, on a disappointing party line vote, the President was denied fair notice of the snippets of taped testimony that would be woven into the House Managers' arguments. Then the Senate allowed the House Man-

agers to reserve two of their three hours of closing arguments for a "rebuttal" which included new iterations of their various accusations, with no opportunity for the defense to reply.

The question of witnesses was distorted on both sides by political considerations. The House Managers were counseled by their allies in the Senate not to seek too many witnesses, lest they unnerve Senators with visions of unseemly testimony on the floor. The President's defenders declared that no witnesses were necessary; they argued that the House Managers had passed up their chance to hear fact witnesses in the House Judiciary Committee hearings. Neither approach was sound—witnesses would have helped, but they should have been chosen and presented in a thoughtful way. I believe, for example, that Betty Currie was a very important potential witness. She was nowhere to be found, apparently because the managers made a political calculation that they would do without her testimony, trading away the strongest piece of their obstruction case.

In the end, both sides made strategic decisions in this trial at the mercy of a fluid and unpredictable procedure. That led to an element of chance in the trial that I believe was unfortunate. And it also led to complaints from each side about the fairness of the process that were a distraction from the substance of the trial. I therefore recommend to future presidential impeachment courts that at the very outset they try hard to achieve consensus on a procedure that will govern the entire trial.

The process was not only flawed in the procedure on the floor. In the midst of the trial, the Independent Counsel, Kenneth Starr, at the behest of the House Managers, sought from the District Court an order compelling Monica Lewinsky to travel to Washington to submit to a private interview with the House Managers. This interposed the court and the Independent Counsel in matters properly reserved to the Senate, in which the Constitution vests the sole power to try impeachments. In so doing, he undermined the bipartisan agreement of the Senate that it would make procedural determinations regarding witnesses following the opening arguments and the question period.

Both the Republican and Democratic caucuses met throughout the trial to discuss the proceedings. I attended these meetings and I do not assert that they were improper, but we could have better lived up to our oath to do impartial justice, if we had not held those regular party caucuses. Those meetings must have seemed to some of our constituents to be the place where we plotted a partisan course. This could not have helped the people to have confidence in our work.

Time and again, we saw the House Managers and the President's lawyers